

REMARKS/ARGUMENTS

Claims 1-16 are pending in this application. No claims are amended, canceled, or added. Therefore, claims 1-16 are present for examination, and claims 1, 11, and 16 are the independent claims.

The Office Action dated February 14, 2006 ("Office Action") rejected claims 1-16 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of U.S. Patent No. 5,799,285 to Klingman ("Klingman") in view of the cited portions of U.S. Patent Publication No. 2006/0012473 A1 to Bishop ("Bishop"). The rejections are respectfully traversed.

Incorrect Recitation of Claim 1

The Office Action incorrectly stated that independent claim 1 includes the limitation "Logging an error if the identifier is not valid." There is no such limitation in claim 1, as the limitation was moved from claim 1 to claim 2 in a Preliminary Amendment dated June 2, 2002 (*See also* previous Response, dated November 10, 2005, for listing of claims).

In the absence of a Notice of Allowance, a non-final Office Action is respectfully requested with the correct limitations for claim 1.

35 U.S.C. §103(a) Rejection, Klingman, Bishop

The Office Action rejected claims 1-16 under 35 U.S.C. §103(a) as being unpatentable over Klingman in view of Bishop. To establish a *prima facie* case of obviousness, the prior art references must "teach or suggest all the claim limitations." MPEP § 2143. The Applicants believe significant limitations from independent claims 1, 11, and 16 are not found in the cited references.

Specifically, the references fail to teach or suggest (1) the *form identifier* recited by claims 1, 11, and 16 or (2) *verifying* whether the *identifier* is a *valid* identifier for the *form* being *used*, as recited by claims 1, 11, and 16. For at least these reasons, Applicants respectfully request reconsideration of the rejection to the claims.

1. Form Identifier

The claims provide for systems and methods for auditing *forms* that are updated or revised periodically, to ensure that updated or otherwise valid forms are being used.. Such forms may have "regions or fields for entering information." The independent claims 1, 11, and 16 call for receiving a *form identifier* that is *associated* with a *form*, and the claims make it very clear that the form identifier *identifies a form*.

The Office Action cites Klingman as reading on this limitation (Office Action, pp. 2, 5 *citing* Klingman, col. 7, ll. 3-15; col.9, ll. 47-60; col. 10, ll. 44-49). The system of Klingman allows a seller to register a product for sale on the internet through a distributor. To undertake this registration, the seller downloads the registration software form from the distributor's system (Klingman, col. 6, ll. 26-28). The seller may then complete the registration form, and upload it to the distributor (*Id.* col. 7, ll. 8-12). On the form, the seller includes his or her telephone number (*Id.* col. 7, ll. 13-15). The listed telephone number is then compared to the caller ID from the upload connection (*Id.* col. 7, ll. 4-5, 16-17, 48-51).

Thus "to ensure legitimacy of the seller, the seller's telephone number ... must match the seller's caller ID in order to successfully complete the registration" (*Id.* col. 7, ll. 48-51). Therefore, in the Klingman system, the caller ID identifies the calling source of the registration upload to verify the seller. This is very different than the claims, which recite a *form identifier*. A form identifier *identifies a form*, whereas the caller ID of Klingman identifies a calling source.

There is no suggestion in Klingman that different versions of registration forms be audited to ensure that they are up to date. Instead, "upon downloading ... the seller completes the registration form" (*Id.*, col. 6, ll. 26-28). The caller ID is used to "verify the legitimacy of the source of the product being sold, i.e. the seller" (*Id.* col. 7, ll. 16-18). Instead of identifying a form, as recited in the claims, the caller ID verifies a seller.

B. Valid Identifier for the Form being Used: Claims 1, 11, and 16 call for verifying whether a form is valid by determining whether the form identifier is a valid identifier for the form being used. The form identifier in the present claims is compared to a database or

other listing of identifiers to determine if the form identifier is valid for the form being used. The Office Action cites Klingman as teaching this limitation (Office Action, pp. 2, 5 *citing* Klingman, col. 9, ll. 24-28; col. 10, ll. 49-56).

As a threshold matter, and as noted above, Klingman does not teach the form identifier of the claims. Moreover, portions of Klingman cited to teach this limitation are quite different than the claimed embodiment. In Klingman, the system "**verifies the seller** ... by comparing the incoming seller's caller ID number with the telephone number provided by the seller in the completed registration form" (emphasis added, Klingman, col. 10, ll. 50-53). But verifying a seller by referring to a listed telephone number is clearly different than determining whether a form is valid by referring to a listing of valid form identifiers.

The claimed embodiments validate a **form** by comparing a form identifier to a database or other *listing of valid form identifiers* to determine if the **form is valid**. Klingman, instead, suggests the use of a caller ID to "verify the legitimacy of the source of the product being sold, i.e. the seller" (*Id.*, col. 7, ll. 16-18). Klingman fails to teach or suggest the listing of valid form identifiers used to determine if a form is valid.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. In the absence of a Notice of Allowance, a non-final Office Action is respectfully requested with the correct limitations for claim 1.

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Amdt. dated May 8, 2006
Reply to Office Action of February 14, 2006

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael L. Drapkin".

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